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Message:

U.S. Patent Application No.09/701,437
Art Unit 1631
Applicant: Ellemen et al.

Dear Examiner Allen:

Attached is our suggested revisions to your suggested claim.

We have added "of a ligand" (line 1 of the claim) and "of the ligand" (penultimate line of claim) because the binding is through a ligand. Support for this amendment can be found at p. 1, line 3-6; p. 1, line 18 to p.3, line 21; p. 6, line 32 to p. 7, line 1; p. 7, lines 24-27; p. 15, lines 28-35; p. 26, lines 30-33; p. 27, lines 4-36; p. 28, lines 7-25; p. 29, lines 3-26; p. 4, line 10-23, p. 6, line 25 to p. 6, line 8; p. 7, lines 3-6, p.7, lines 24-27, p. 8, lines 3-13; p. 8, lines 14- 29 (compound is mutant ligand); p. 29, lines 14-26; p. 12, lines 10-21; p. 12, line 32 to p. 13, line 5; and p. 16, lines 8-16 of the specification.

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The phrases "or screening for" and "or screened for" have been added after "designing" and "designed", respectively, since the method of the invention also includes screening for a candidate compound. Support for screening can be found at page 5, line 26 and p. 8, line 3 of the specification.

Other minor changes to your suggested claim include changing "the EGF receptor" to "an EGF receptor" in line 2 of the claim and correcting the upper limit of the amino acids in the EGF receptor to "621" in line 6 of the claim.

You informed us last Friday that you had issued an Office Action in this case. If this revised proposed claim is acceptable and would be regarded as containing allowable subject matter, we propose to include it in our next response in order to expedite prosecution.

Please let me know of your thoughts. Thanks.

Sincerely yours,
McDERMOTT WILL & EMERY, LLP



Cameron K. Weiffenbach
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Application/Control Number; 09/701,437

Art Unit: 1631

RE: Revised Claim for Discussion Purposes

1. A method of identifying a compound which modulates binding of a ligand to ~~the~~ an EGF receptor comprising:

(A) designing or screening for a compound which binds to the structure formed by amino acids 1-475 or formed by amino acids 1-475 or formed by amino acids 313-621 of a model having the atomic coordinates as shown in Figure 6 for amino acids 1-~~612~~ 621 of the EGF receptor, where binding of the compound to the structure is favored energetically; and

(B) testing the compound designed or screened for in (A) for its ability to modulate binding of the ligand to the EGF receptor *in vivo* or *in vitro*, thereby identifying a compound that modulates binding to the EGF receptor.